

REMARKS

Claims 1-12 are pending in this application. Claims 1, 8, and 10-12 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

The Official Action

In the outstanding Official Action, the Examiner objected to the disclosure; and objected to the drawings. The Examiner further rejected claims 1 and 11 under 35 U.S.C. § 102(a) as being anticipated by *Matsuo et al.* (JP Pat. No. 2000-223738); rejected claims 1 and 11 under 35 U.S.C. § 102(b) as being anticipated by *Sekiguchi* (JP Pat. No. 402168678); rejected claims 1-2 and 11 under 35 U.S.C. § 102(b) as being anticipated by Applicant's alleged admitted prior art; rejected claims 1-2 and 5 under 35 U.S.C. § 102(b) as being anticipated by *Toshio et al.* (JP Pat. No. 9-199756); rejected claims 3-4 under 35 U.S.C. § 103(a) as being unpatentable over Applicant's alleged admitted prior art in view of *Matsuo et al.*; rejected claims 6-7 under 35 U.S.C. § 103(a) as being unpatentable over *Toshio et al.* in view of *Tani et al.* (USP 6,080,602); and rejected claims 8-10 under 35 U.S.C. § 103(a) as being unpatentable over *Toshio et al.* in view of Applicant's alleged admitted prior art. Applicant respectfully traverses these rejections.

Preliminary Amendment

On April 29, 2003, Applicant filed a Preliminary Amendment requesting the addition of new claim 12 and, further, providing arguments to the Examiner's rejection of the pending claims. As the outstanding Office Action was mailed prior to the filing of the Preliminary Amendment, the Preliminary Amendment was not considered. It is respectfully requested that the Preliminary Amendment filed on April 29, 2003 be entered and considered by the Examiner.

Specification

With regard to the Examiner's objection to the disclosure, by this Amendment, Applicant has amended the specification on page 6, line 19 to replace "sided" with "side" as suggested by the Examiner. Based upon this amendment, it is respectfully requested that the outstanding objection be withdrawn.

Drawings

The Examiner objected to the drawings, asserting the output section as recited in claims 1-11 is not depicted. The Examiner's attention is respectfully directed to Fig. 2, which clearly depicts light receiving element 2, and lead terminals 13a and 13b depicted in Fig. 1 that supply a drive current to the light receiving element. Additionally, the Examiner's attention is respectfully directed to page 14, lines 1-11 for the exemplary disclosure

discussing the output section as depicted in Figs. 1 and 2. It is respectfully submitted that the output section as set forth in claims 1-11 is sufficiently depicted in Figs. 1 and 2. Thus, it is respectfully requested that the outstanding objection be withdrawn.

Claim Rejections - 35 U.S.C. § 102 - *Matsuo et al.*

By this Amendment, Applicant has amended claims 1 and 11 to more appropriately define the present invention. It is respectfully submitted that these amendments are made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

In support of the Examiner's rejection of claim 1, the Examiner asserts that *Matsuo et al.* teaches an output section having a light receiving element 12 opposed to light emitting faces of the light emitting elements and lead terminals 17 for supplying a drive current to the light receiving element (citing to para. 18 and Abstract). Applicant respectfully disagrees with the Examiner's characterization of this reference.

It is respectfully submitted that in order to find anticipation of a claimed invention under 35 U.S.C. § 102, the Examiner must provide a reference that teaches or suggests all of the claimed elements.

It is respectfully submitted that the disclosure set forth in *Matsuo et al.* recites in the Abstract:

The light emitting and receiving elements 11 and 12 are arranged as mutually opposed are optically coupled by a light path 19a, and all light paths 19 are sealed by a light blocking effect inner package 19b.

In contrast, the present invention as set forth in claim 1, as amended, recites, *inter alia*, a photocoupling device comprising an output section having a light receiving element, wherein the light receiving face is opposed to light emitting faces of the light emitting elements, and lead terminals for supplying a drive current to the light receiving element, wherein the light receiving element receives light emitted from the plurality of the light emitting elements. It is respectfully submitted that nowhere in the reference does *Matsuo et al.* teach or suggest the light receiving element receiving light emitted from the plurality of light emitting elements. As noted above, *Matsuo et al.* teaches all light paths 19 being sealed by a light blocking effect inner package 19b. Thus, *Matsuo et al.* only discloses light receiving element 12 receiving light emitted from light emitting element 11. Thus, as *Matsuo et al.* fails to teach a light receiving element receiving light emitted from the plurality of light emitting elements, it is respectfully submitted that claim 1 is not anticipated by *Matsuo et al.*

It is respectfully submitted that claims 2-7 are allowable for the reasons set forth above with regard to claim 1 at least based

upon their dependency on claim 1. Further, it is respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 1 and, thus, claim 11 is not anticipated by *Matsuo et al.* for the reasons set forth above with regard to claim 1.

Claim Rejections - 35 U.S.C. § 102 - *Sekiguchi*

With regard to the Examiner's rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by *Sekiguchi*, the Examiner asserts that *Sekiguchi* teaches an output section having a light receiving element 2 opposed to light emitting faces of the light emitting elements and lead terminals T01, T02 for supplying a drive current to the light receiving element (citing to the Abstract). Applicant respectfully disagrees with the Examiner's characterization of this reference.

It is respectfully submitted that the disclosure set forth in *Sekiguchi* is directed to a photocoupler which is provided with three light emitting diodes connected in series between input terminals and a phototransistor which converts received rays of light from the diodes into electric signals and outputs the electric signals to output terminals.

In contrast, the present invention as set forth in claim 1, as amended, recites, *inter alia*, a photocoupling device comprising an output section having a light receiving element, wherein the light

receiving face is opposed to light emitting faces of the light emitting elements. While *Sekiguchi* provides for a plurality of light emitting diodes which emit light to phototransistor 2, it is respectfully submitted that there is no teaching or suggestion of the light receiving face being opposed to light emitting faces of the light emitting elements. While *Sekiguchi* provides circuit diagrams in Figs. 1-3, it is respectfully submitted that circuit diagrams do not provide any information as to the physical configuration of the light emitting diodes and the phototransistor. Although *Sekiguchi* provides that light emitted from the light emitting diodes is received at phototransistor 2, there is no discussion as to the physical configuration of the light emitting diodes and the light receiving element. As such, it is respectfully submitted that *Sekiguchi* fails to teach or suggest all of the claimed elements and, thus, claim 1 is not anticipated by *Sekiguchi*.

It is respectfully submitted that claims 2-7 are allowable for at least the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1. It is further respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 1 and, thus, claim 11 is not anticipated by *Sekiguchi* for the reasons set forth above with regard to claim 1.

**Claim Rejections - 35 U.S.C. § 102 - Applicant's Alleged
Admitted Prior Art**

With regard to the Examiner's rejection of claim 1, the Examiner asserts Applicant admits at page 6, lines 14-23, an output section having a light receiving element 102 opposed to light emitting faces of the light emitting elements. Applicant respectfully disagrees with the Examiner's assertions.

It is respectfully submitted that Applicant recites "light emitting element 101 and the other element 111 on specified headers 109b, 109d and so on with wires 125a, 125b and so on connecting to lead terminals." Applicant further recites "primary molding is performed in a state where the light emitting face of the light emitting element 101 is opposed to the light receiving face of the light receiving element." It is respectfully submitted that nowhere does Applicant's alleged admitted prior art disclose an output section having a light receiving element opposed to the light emitting faces of the light emitting elements. Although the specification provides for a light emitting element, there is no admission to a plurality of light emitting elements. Nor is there any admission to a light receiving element opposed to the light emitting faces of the light emitting elements. As such, it is respectfully submitted that claim 1 is not anticipated by Applicant's alleged admitted prior art.

It is respectfully submitted that claim 2 is allowable for the reasons set forth above with regard to claim 1 at least based upon its dependency on claim 1. Further, it is respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 1 and, thus, claim 11 is allowable for the reasons set forth above with regard to claim 1.

Claim Rejections - 35 U.S.C. § 102(b) - *Toshio et al.*

It is respectfully submitted that Applicant provided a detailed argument against the Examiner's rejection of claim 1 in the Preliminary Amendment filed on April 29, 2003. Consideration of Applicant's argument is respectfully requested. Based upon the reasons set forth in the Preliminary Amendment of April 29, 2003, it is respectfully submitted that claim 1 is not anticipated by *Toshio et al.*

It is further respectfully submitted that claims 2 and 5 are allowable for the reasons set forth with regard to claim 1 in the Preliminary Amendment of April 29, 2003 at least based upon their dependency on claim 1.

Claim Rejections - 35 U.S.C. § 103(a) - *Toshio et al.*/APA

With regard to the Examiner's rejection of claim 8, the Examiner relies on the teachings of *Toshio et al.* to teach an output section having a light receiving element opposed to light emitting faces of the light emitting elements. As noted in

Applicant's Preliminary Amendment of April 29, 2003, it is respectfully submitted that *Toshio et al.* fails to teach or suggest an output section having a light receiving element opposed to light emitting faces of the light emitting elements. It is further submitted that Applicant's alleged admitted prior art fails to cure the deficiencies of the teachings of *Toshio et al.* as Applicant's alleged admitted prior art fails to teach an output section having a light receiving element opposed to light emitting faces of the light emitting elements, assuming these references may be combined, which Applicant does not admit. As such, since neither *Toshio et al.* nor Applicant's alleged admitted prior art teach the claimed invention set forth in claim 1, it is respectfully submitted that this claim is allowable over the combination of references cited by the Examiner.

It is respectfully submitted that claim 9 is allowable for the reasons set forth above with regard to claim 8 at least based upon its dependency on claim 8. Further, it is respectfully submitted that claim 10 contains elements similar to those discussed above with regard to claim 8 and, thus, claim 10 is allowable over *Toshio et al.* and Applicant's alleged admitted prior art for the reasons set forth above with regard to claim 8.

Conclusion


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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